

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PREPARED FOOD PHOTOS, INC.,

Plaintiff,

– *against* –

EXECUTIVE DINING CLUB, INC. AND
GEM CATERING INC. D/B/A CAFÉ
GUSTO,

Defendants.

**DEFAULT JUDGMENT AND
PERMANENT INJUNCTION**

22-cv-9446 (ER)

THIS CAUSE is before the Court upon plaintiff Prepared Food Photos, Inc. f/k/a Adlife Marketing & Communications Co., Inc. (“Plaintiff”) Motion for Default Final Judgment (the “Motion”) against defendants Executive Dining Club, Inc. (“EDC”) and Gem Catering Inc. d/b/a Café Gusto (“Café Gusto”) (collectively, the “Defendants”). The Court has considered the Motion, has noted the Clerk’s default against Defendants and is otherwise advised in the premises. Pursuant to Rule 55 of the Federal Rules of Civil Procedure, the Court concludes that Plaintiff has met its burden of showing that it is entitled to a final default judgment as to Defendants. Plaintiff has also met its burden of showing that it is entitled to permanent injunctive relief against Defendants as specified herein.

Accordingly, it is ORDERED AND ADJUDGED as follows:

1. Plaintiff shall recover from Defendants the principal sum of \$76,079.55 for which let execution issue. The foregoing sum consists of \$71,928.00 (statutory damages for copyright infringement), \$631.55 (costs), and \$3,520.00 (attorneys’ fees).
2. Defendants, their employees, agents, officers, directors, attorneys, successors, affiliates, subsidiaries and assigns, and all those in active concert and participation with Defendants

are permanently enjoined from (a) directly or indirectly infringing Plaintiff's copyright or continuing to market, offer, sell, dispose of, license, lease, transfer, publicly display, advertise, reproduce, develop, or manufacture any work derived or copied from Plaintiff's copyrighted photograph or to participate or assist in any such activity; and (b) directly or indirectly reproducing, displaying, distributing, otherwise using, or retaining any copy, whether in physical or electronic form, of any copyrighted photograph owned by Plaintiff.

It is SO ORDERED.

Dated: May 25, 2023
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is positioned above a horizontal line.

EDGARDO RAMOS, U.S.D.J.